

Economic Impact Statement

LSA Document #11-419

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

[IC 4-22-2.1-5\(a\)](#) provides that an agency that intends to adopt a rule under [IC 4-22-2](#) that will impose requirements or costs on small businesses must prepare a statement that describes the annual economic impact of the rule on small businesses after the rule is fully implemented as described in [IC 4-22-2.1-5\(b\)](#). The proposed rule, LSA Document #11-419, repeals [405 IAC 5-11](#), the rule that provides for the payment of targeted case management services for pregnant women.

Economic Impact on Small Business

The following section provides responses to the following questions outlined in [IC 4-22-2.1-5](#):

1. An estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.

[IC 5-28-2-6](#) defines a small business as a business entity that satisfies the following requirements:

- (1) On at least fifty percent (50%) of the working days of the business entity occurring during the preceding calendar year, the business entity employed not more than one hundred fifty (150) employees.
- (2) The majority of the employees of the business entity work in Indiana.

Thirteen providers provide targeted case management services to pregnant women in the fee-for-service population, and 11 providers provide targeted case management services to pregnant women in the managed care population. It is unknown how many providers meet the criteria of [IC 4-22-2.1-4](#) as a small business.

2. An estimate of the average annual reporting, record keeping, and other administrative costs that small business will incur to comply with the proposed rule.

For purposes of the small business impact analysis requirements addressed in [IC 4-22-2.1](#), the FSSA/OMPP consulted with the Indiana Economic Development Corporation (IEDC). Following such consultations and concurrence by IEDC, for purposes of these statutory requirements, the FSSA/OMPP applies generally accepted accounting definitions to the terms "costs" and "revenues". These concepts have definitions that are generally accepted in the accounting profession. A well-known professional accounting publication¹ defines "costs" as "sacrifice, measured by the price paid, to acquire, produce, or maintain goods or services;" and defines "revenues" as "gross income generated by selling goods (sales) or by performing services (professional fees, commission income)". The proposed rule will result in a reduction in **revenues** for providers; however, based on these generally accepted accounting definitions, the reduction in revenues under the proposed rule does not equate to the imposition of additional **costs** on small businesses. As stated previously, the proposed rule will result in a reduction in revenues but does not impose any additional annual reporting, record keeping, or other administrative costs on small businesses in order to comply with the proposed rule.

3. An estimate of the total annual economic impact that compliance will have on small businesses subject to the rule.

The estimated decrease in annual Medicaid expenditures as a result of this rule amendment is as follows:

	SFY 2012	SFY 2013
Total Medicaid	\$200,000	\$240,000
Federal Share	\$133,788	\$160,704
State Share	\$ 66,212	\$ 79,296

4. A statement justifying any requirement or cost that is imposed by the rule and not expressly required by law. The statement must reference any data, studies, or analyses relied upon by the agency in determining imposition of the requirement or cost is necessary.

This rule imposes no requirement or cost on small businesses.

5. Any regulatory flexibility analysis that considers any less intrusive or less costly alternative methods of achieving the same purpose.

Other factors considered:

A. Establishment of less stringent compliance or reporting requirements for small businesses.

The rule has no impact on reporting requirements for small businesses.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

The rule has no impact on schedules or deadlines for compliance or reporting requirements for small businesses.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

The rule has no impact on compliance or reporting requirements for small businesses.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

The rule has no impact on performance standards or design or operational standards for small businesses.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

The rule imposes no additional requirements or cost on small businesses.

¹ Siegel, Joel G., Ph.D. and Jae K. Shim, Ph.D. Barron's Accounting Handbook. 4th ed. New York: Barron's Educational Services, 2006.

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